

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 550 be amended to read as follows:

- 1 Page 26, line 24, delete "or might be".
- 2 Page 26, line 34, delete "or might be".
- 3 Page 27, between lines 20 and 21, begin a new paragraph and insert:
- 4 "SECTION 23. IC 36-2-14-23 IS ADDED TO THE INDIANA
- 5 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 6 [EFFECTIVE JULY 1, 2007]: **Sec. 23. (a) This section applies to a**
- 7 **person who dies without:**
- 8 **(1) making; or**
- 9 **(2) refusing to make;**
- 10 **a valid anatomical gift under IC 29-2-16.1.**
- 11 **(b) A coroner may release a person's body or allow the removal**
- 12 **of a part from a person's body under the jurisdiction of the**
- 13 **coroner for transplantation, therapy, research, or education only**
- 14 **if all the following requirements are met:**
- 15 **(1) The coroner must receive a request for the person's body**
- 16 **or part from a hospital, physician, or procurement**
- 17 **organization.**
- 18 **(2) The coroner must make a reasonable effort to locate and**
- 19 **review the person's medical records.**
- 20 **(3) The corner must make a reasonable effort to determine if**
- 21 **the person has made or refused to make a valid anatomical**
- 22 **gift under IC 29-2-16.1.**
- 23 **(4) If the coroner is not able to make a determination under**
- 24 **subdivision (3), the coroner must make a reasonable effort to**

1 locate and inform the appropriate individual listed in
2 IC 29-2-16.1-8 of the individual's option to make or object to
3 making an anatomical gift of the person's body or part. A
4 search to locate an appropriate individual listed in
5 IC 29-2-16.1-8 must be conducted for at least twelve (12)
6 hours unless the useful life of a requested part precludes a
7 search of at least twelve (12) hours. The search must include
8 a check of local law enforcement agency missing persons
9 records, an examination of the decedent's personal effects,
10 and the questioning of any individuals who:

11 (A) reported the person's death;

12 (B) visited the person in the hospital in which the person
13 died; or

14 (C) claimed or accompanied the person's body after the
15 person died;

16 to obtain information that might lead to the location of an
17 individual listed in IC 29-2-16.1-8.

18 (5) Evidence does not exist that indicates that, at the time the
19 person died, the person was a member of a religion, church,
20 sect, or denomination that has religious tenets that would be
21 violated by the disposition of the person's body or parts for
22 transplantation, therapy, research, or education.

23 (6) The release of the body or removal of a part will not
24 interfere with any autopsy or medicolegal investigation.

25 (c) If a person's body is not under the jurisdiction of the
26 coroner, the medical examiner may release the body or allow the
27 removal of a part for transplantation, therapy, research, or
28 education only if the requirements of subsection (b) are met.

29 (d) A coroner or medical examiner who releases a person's body
30 or allows the removal of a part of a person's body under this
31 section shall maintain a permanent record of the following:

32 (1) The name of the person who died.

33 (2) The name of the person who requested the body or part.

34 (3) The date and purpose of the request.

1 **(4) If less than the whole body was requested, the part that**
2 **was requested.**

3 **(5) The name of the person to whom the body or part was**
4 **released."**

5 Renumber all SECTIONS consecutively.

(Reference is to ESB 550 as printed March 13, 2007.)

Representative Orentlicher